

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SWD – LAHS – East Godavari District – Peddapuram Division, Kirlapudi Mandal, Jagapthinagaram Village – Acquisition of land of Ac.5.56 cents in S.No.320/2 etc., for provision of house sites to weaker section people –Release of decretal charges in EP No.12/2006 in OP No.62/92 – Payment of Rs.3,31,332/- permission accorded - Orders issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.RT.NO. 527

Dated : 23-07-2008

Read the following :

1. From the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, Lr.Rc.No.LA3/12493/2004, dated. 21-7-2007.
2. Govt. Memo.No.786/LA.1/06-1, Social Welfare Dept. dated.26-7-2007.

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ORDER :

In the letter 1st read above the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, has furnished a proposal for release of an amount of Rs.3,31,332/- to the District Collector, East Godavari towards decretal charges in OP.NO.62/92 in EP No.12/2006.

2. He has reported that the Land Acquisition Officer, has acquired the land for an extent of Ac.5.56 cents in Sy.No.320/2 Peddapuram Division, Kirlapudi Mandal, Jagapthinagaram Village and passed award No.15/87, dated.23-11-1987, by fixing market value @ Rs.30,000/- per acre and paid the award amount of Rs.2,16,840/- towards compensation. The land owners/claimants has not satisfied with the market value fixed by the Land Acquisition Officer and filed petitions under Section 18 of Land Acquisition Act. The Lower Court vide its order dated.28-3-1994 in OP.NO.62/1992, has observed that the land value of Rs.30,000/- per acre, fixed by the Land Acquisition Officer is adequate and reasonable and allowed additional market value @ 12% on the land value from the date of notification i.e., 17-2-1987, till the date of award i.e., 23-11-1987 (280 days) and interest @ 9% for one year and thereafter @ 15% p.a. till the payment of the amount from the date of taking possession of land i.e., from 12-12-1987.

3. Further the land owners filed an appeal before the Hon'ble High Court in AS NO.1624/96 and the Land Acquisition Officer also filed an appeal in AS No.62442/95. The Appeal filed by the Land Acquisition Officer was rejected by the High Court in its order dated.5-6-2000 in CMP No.3627/95 in AS No.62442/95 in OP No.62/92. Whereas in the appeal filed by land owners, the Hon'ble High Court passed orders for fixing the market value @ Rs.40,000/- per acre and the appellants are entitled for all statutory benefits including interest on solatium, in AS No.1624 of 1996, dated.24-6-2007. The Government Pleader for Appeals, High Court of A.P. has opinioned that there is no substantial grounds to prefer an appeal against the orders in A.S. No.1624/96. The land owners have filed E.P. No.212/01 in the Court of Senior Civil Judge, Pithapuram for payment of compensation. The Commissioner of Social Welfare, AP, Hyderabad has requested the Government to release of an amount of Rs.3,31,332/- towards payment of decretal charges in OP No.62/92 to the District Collector, East Godavari.

4. After careful examination of the matter Government hereby accord permission to utilize an amount of Rs.3,31,332/- (Rupees three lakhs thirty one

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thousand three hundred and thirty two only) to the District Collector, East Godavari towards payment of decretal charges in AS No.1624/1996 in OP No.62/1992 for acquisition of the land to an extent of Ac.5.56 cents in Sy.No.320/2, Jagathinagaram village, Peddapuram Division, East Godavari District to comply with the orders of the Court.

5. The expenditure sanctioned in para (4) above shall be debited to “2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (05) – Acquisition of House Sites to weaker sections in Rural Areas under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid” and shall be met from the provision available in the Budget.

6. The Commissioner of Social Welfare, Hyderabad, is requested to issue necessary proceedings to the District Collector, East Godavari to deposit the amount sanctioned above to comply with the orders of the Court.

7. The District Collector, East Godavari, is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order issues with the concurrence of Finance (Exp.SW) Department vide their U.O.No. Dated. -6-08.

To
The Commissioner of Social Welfare,
Andhra Pradesh, Hyderabad.
The District Collector, East Godavari.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, East Godavari.
Finance (Exp.SW) /(BG) Department.
Sf/sc